

REMARKS

Claims 1 - 24 were pending in the present application for patent as of the Office Action of July 29, 2005. In the Office Action of July 29, 2005, the Examiner rejected claim 5 under 35 U.S.C. 112, second paragraph, objected to claims 5 and 6 under 37 C.F.R. 1.75 as being substantial duplicates of claims 2 and 3, rejected claim 1 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,835,754, Nakanishi, rejected claims 2 - 8 under 35 U.S.C. 103(a) as being unpatentable over Nakanishi in view of U.S. Patent Number 6,057,998, Rupley, II et al., objected to claims 9 as being dependent upon a rejected base claim, but would be allowable in rewritten in independent form, and allowed claims 10 - 24.

Claim 5 was rejected under 35 U.S.C. 112, second paragraph, and claims 5 and 6 were objected to under 37 C.F.R. 1.75 as being substantial duplicates of claims 2 and 3. Claims 5 and 6 have been canceled.

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by Nakanishi. The applicants believe that claim 1 is allowable over Nakanishi as originally filed. Nakanishi does not show or suggest a method for allocating entries in a BTB as claimed in original claim 1, where it is determined if a branch target address location can be obtained without causing a further stall condition in the pipelined data processing system and a BTB entry is allocated based on the determination. Nakanishi discloses at column 9, lines 63 - 65 that entry into the BTB is performed while the branch instruction is executed, like the background art (see also column 2, lines 9 - 25). In Nakanishi, information is recorded in the BTB whether the branch is taken or not taken (column 2, lines 10 - 14). Nakanishi does not determine if the branch target address location can be obtained without causing a further stall condition in the pipelined data processing system. Also, Nakanishi does not selectively allocate a BTB entry based on the determination. Therefore, the applicants believe that claim 1, as originally filed is allowable over Nakanishi.

Claims 2 - 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nakanishi in view of Rupley, II et al. The applicants believe that claims 2 - 8 are allowable over Nakanishi in view of Rupley, II et al. for at least the reasons given above for claim 1.

The applicants acknowledge the allowance of claims 10 - 24.

The applicants include herewith an information disclosure statement including references cited in an international search report that were not already of record in this application. The applicants believe the pending claims are allowable over the cited references.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless the applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Believing to have responded to each and every rejection contained in the Office Action mailed July 29, 2005, the applicants respectfully request the reconsideration and allowance of claims 1 - 4 and 7 - 24; thereby placing the application in condition for

Respectfully submitted,

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